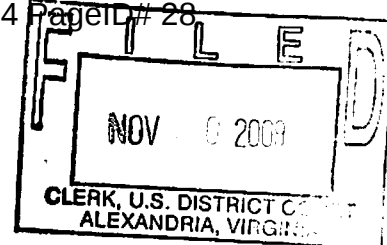


Prob 12
(Mod. For E.VA 07/07)

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF VIRGINIA



U.S.A. vs. Artavia L. Palmer Docket No. 1:09-PO-5-IDD

Petition on Probation

COMES NOW Jeffrey M. Smihal, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Artavia L. Palmer, who was placed on supervision by the Honorable Ivan D. Davis, sitting in the Court at Alexandria, Virginia, on the 27th day of February, 2009, who fixed the period of supervision at 1 year, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

*See Page 2

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a ^{warrant}~~summons~~ to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

Bond Recommendation: Personal Recognizance

Returnable Date: _____

ORDER OF COURT

Considered and ordered this 30th
day of November, 2009 and
ordered filed and made a part of the
records in the above case.

/s/
Ivan D. Davis
United States Magistrate Judge

I declare under penalty of perjury
that the foregoing is true and
correct.

Executed on 11-24-09

Jeffrey M. Smihal
U.S. Probation Officer

Place Fredericksburg, Virginia

TO CLERK'S OFFICE

Petition on Probation

Page 2

RE: PALMER, Artavia L.

1. The defendant shall enter and complete an alcohol treatment program as directed by the probation officer.
2. The defendant may operate a motor vehicle ONLY (a) to and from work; (b) during the course of work if required as an incident of employment; (c) to and from probation, this Court and the alcohol treatment program; (d) to and from childcare responsibilities; (e) to and from school, providing a school schedule in advance of probation.
3. The defendant shall pay a \$400 fine and \$20 special assessment within 120 days.

On March 19, 2009, Judge Davis waived submission of monthly reports, travel requests, and home visits at the request of the U.S. Probation Office.

On July 16, 2009, Judge Anderson ordered at the offender's request that she be given an additional 60 days to pay the fine and special assessment.

Petition on Probation

Page 3

RE: PALMER, Artavia L.

OFFENSE: Driving While Intoxicated With a B.A.C. of .08% or More, in violation of Title 32, C.F.R., Section 234.17(c)(1)(ii) and 234.19(a).

Giving False Information, in violation of Title 32, C.F.R., Section 234.6(c)(1) and 234.19(a).

SENTENCE: 1 year probation with the following special conditions: 1) alcohol treatment; 2) restricted license; 3) pay \$400 fine and \$20 special assessment.

ADJUSTMENT TO SUPERVISION: Poor. Ms. Palmer has failed to complete any special conditions as ordered by the Court. Furthermore, she has not returned telephone messages left by this officer as of this writing.

VIOLATIONS: The following violations are submitted for the Court's consideration.

MANDATORY CONDITION: COMMISSION OF A CRIME - SPEEDING 56/35 MPH ZONE.

On September 30, 2009, Ms. Palmer was convicted of the above-listed offense in Prince William County General District Court after being found guilty in absentia. According to court records, she was cited by a Prince William County Police officer on August 24, 2009. This citation was discovered during a routine record check conducted by this officer on November 9, 2009.

This officer has requested additional information from the Prince William County Police Department and will provide the Court with any new details that we receive.

SPECIAL CONDITION: FAILURE TO SATISFACTORILY PARTICIPATE IN AN ALCOHOL TREATMENT PROGRAM.

The offender was referred to the Rappahannock Area Alcohol Safety Action Program on March 13, 2009. She failed to contact their office to schedule an appointment and was discharged on April 16, 2009.

On April 3, 2009, Ms. Palmer advised that she was moving back to Washington, D.C. She was instructed to enroll in treatment at Alexandria Alcohol Safety Action Program. Ms. Palmer failed to report for an appointment on May 5, 2009, and they have had no contact with her.

The offender has not provided this officer with any documentation that she has enrolled in alcohol treatment as of this writing.

Petition on Probation

Page 4

RE: PALMER, Artavia L.

**FAILURE TO PAY SPECIAL ASSESSMENT AND FINE AS
DIRECTED BY THE PROBATION OFFICER.**

At the inception of supervision, Ms. Palmer reported she was employed with CVS Pharmacy. This officer contacted the pharmacy on November 23, 2009, and was advised that Ms. Palmer no longer worked for them. As of this writing, the offender has not paid the fine or special assessment, despite the extension granted by Judge Anderson.

**CONDITION 11: FAILURE TO NOTIFY THE PROBATION OFFICER WITHIN 72
HOURS OF BEING QUESTIONED BY A LAW ENFORCEMENT
OFFICER.**

On August 24, 2009, Ms. Palmer was cited for Speeding by the Prince William County Police, but failed to report the contact to the probation officer. This citation was discovered by this officer while reviewing a routine record check.

JMS/bjr
cc: SUSPO